

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	NO. CR-05-2029-LRS
)	
v.)	ORDER GRANTING MOTION
)	TO DISMISS
HECTOR MENDOZA-MEJIA,)	
)	
Defendant.)	
_____)	

Before the Court is the Defendant's Motion to Dismiss (Ct. Rec. 25). As set forth in his motion, Defendant's December 19, 2003 deportation cannot serve as a basis for prosecution in the instant case because the Defendant was denied due process during the underlying deportation proceeding.

Based upon the foregoing, **IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss (Ct. Rec. 25) is **GRANTED**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and provide copies to counsel and the United States Marshal's Office.

DATED this 13th day of July, 2005.

s/Lonny R. Suko

LONNY R. SUKO
United States District Judge

ORDER GRANTING MOTION TO DISMISS